



## United States Department of the Interior

### BUREAU OF LAND MANAGEMENT

Fillmore Field Office

95 E 500 N

Fillmore, UT 84631

<http://www.blm.gov/ut/st/en/fo/fillmore.html>



IN REPLY REFER TO:  
3809 (UTW02000)  
UTU-70557

RECEIVED

APR 06 2015

DIV. OF OIL, GAS & MINING

April 1, 2015

CERTIFIED MAIL #7012 3460 0000 6633 3909  
RETURN RECEIPT REQUESTED

Mr. Dexter Anderson  
Attorney at Law  
730 North 3900 West  
Fillmore, Utah 84631

Dear Mr. Anderson,

The Fillmore Field Office (FFO) of the Bureau of Land Management (BLM) received your letter on February 20, 2015, regarding the application of the regulations at 43 CFR 3802 and the requirement for a Plan of Operations for the Red Dome Mine. As stated in the previous letter from BLM dated February 3, 2015, the 43 CFR 3802 regulations do not apply to the Red Dome Mine. The mine is not located within or near a BLM Wilderness Area. The 43 CFR 3809 regulations **do** apply to the Red Dome Mine. Please refer to these regulations in any future correspondence and as an aid to prepare your Plan of Operations submission.

As part of the 43 CFR 3809 requirements, Red Dome must operate under a Plan of Operations. Red Dome quarry is currently operating under the 2004 Plan. In 2009, an amendment was submitted to Utah Division of Oil, Gas and Mining (UDOGM), Minerals Regulatory Program and a new plan was submitted in 2011, which was never approved. As discussed at the October 10, 2014 meeting, the BLM requires that Red Dome submit a Plan of Operations modification to update their 2004 submission. The Plan of Operations modification is required in order to complete the environmental review under the National Environmental Policy Act and for any additional Federal responsibilities to ensure compliance with other laws, such as the Endangered Species Act and the National Historic Preservation Act. This modification should also be filed with the State of Utah, UDOGM, Minerals Regulatory Program.

The Plan of Operations modification and reclamation cost estimate (see 43 CFR 3809.401) are required items for you to maintain your mining operation on BLM administered land. Also, please refer to 43 CFR 3809.420 for the performance standards that apply to your Plan of Operations. Due to the fact that the original request was made over 5 months ago, the FFO is

providing Red Dome 30 days to complete this request or respond in a meaningful manner. A letter restating your views that the 43 CFR 3802 regulations apply will be considered non-responsive. Failure to meet this request will result in the issuance of a noncompliance and cessation order.

If you have any questions regarding this matter, please contact Joelle McCarthy at 435-743-3122. We look forward to your timely submission of your Plan of Operations modification.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joelle McCarthy', with a large, stylized circular flourish at the end.

Joelle McCarthy  
Acting Field Manager

cc: **Peter Brinton**  
UDOGM, Mineral Regulatory Program  
P.O. Box 145801  
Salt Lake City, UT 84114-5801